IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.310 OF 2006
WITH
CIVIL APPLICATION NO.397 OF 2006

M/s.Omkar Enterprises. ..Appellants.

V/s.

Hanuman Nagar Bhadekaru Sangh & ors...Respondents.

Mr.Y.S.Jahagirdar, Sr.Advocate i/b S.D.Mogare for appellants.

Mr.A.Y.Sakhare, Sr.Advocate with Mohit Jadhav for respondent Nos. 1, 1(a) to (n).

Ms.Prachi P. Rane i/b. M/s.Utangale & Co. for Respondent No.4.

Mrs.Geeta Joglekar for BMC.

CORAM: A.M.KHANWILKAR,J

DATE : MAY 2, 2006.

P.C. :

1. Heard for the parties.

2. Counsel for the appellant fairly submits that if the notice of motion itself was to be disposed of expeditiously, this appeal can be disposed of accordingly. Ad-interim stay will not be pursued further. Counsel for the plaintiff/respondent has no objection to adopt that course. As both the parties assure that they will extend full cooperation for early disposal of the Notice of Motion, this appeal

is disposed of leaving all the questions open with direction to the Trial Court to expeditiously dispose of the Notice of Motion, preferably by end of August, 2006.

3. The parties to appear before the trial Court on 5th May, 2006 at 2.30 p.m., when the trial Court may proceed to give direction to the parties to complete pleadings, as may be advised, so as to ensure that Notice of Motion be disposed of before the stipulated time.

4. Civil application disposed of accordingly.